

RULES FOR LOUISIANA DISTRICT COURTS

TITLES I, II, and III

Eighth Judicial District Court

Parish of Winn

Chapter: 2 **Chapter Title:** Dates of Court

Appendix 1 None.

Rule No: 2.0

Local Holidays in Addition to
Legal Holidays
Listed in La. R.S. 1:55
See 2004 Amendment to La.
R.S. 1:55(E)(1)(b) which, by
reference to La. R.S.
1:55(B)(1)(a), adds Mardi Gras
Day and General Election Day
as legal holidays.

Chapter: 3 **Chapter Title:** Judges and Facsimile Transmissions to the Court

Appendix 2 Single judge district.

Rule No: 3.1

Divisions or Sections of Court

Appendix 3 Single judge district

Rule No: 3.2 and 9.3

Duty Judges; Allotments;
Signing of Pleadings in
Allotted and Non-Allotted
Cases

Chapter: 4 **Chapter Title:** Court Personnel

Appendix 4

Rule No: 4.1

Judicial Administrators and
Clerks of Court

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Court Administrator
8th Judicial District Court
P. O. Box 71
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Hon. Donald E. Kelley
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Chapter: 5 **Chapter Title:** Courtroom Use, Accessibility and Security

Appendix 5A <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5A.PDF>

Rule No: 5.1

Americans with Disabilities
Form

Appendix 5B <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5b.PDF>

Rule No: 5.2

Request for Interpreter and
Order

Appendix 5C <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX5C.PDF>

Rule No: 5.1

Interpreters Oath

Chapter: 8 **Chapter Title:** Indigents and In Forma Pauperis

Appendix 6 <http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX6.PDF>

Rule No: 8.0

In Forma Pauperis Affidavit

Chapter: 9 **Chapter Title:** Procedure

Appendix 7 None.

Rule No: 9.4

Presentation of Pleadings to the
Court and Filing with the Clerk
of Court

Appendix 8

Rule No: 9.14

Fixing for Trial or Hearing;
Scheduling Orders; Contact
with Jurors

1. Any party desiring to assign a case for trial shall, after all issues have been joined and after disposition of all contemplated or pending rules, motions, exceptions, interrogatories, requests for admissions, depositions or other discovery proceedings, and after all trial depositions (except expert witness depositions) have been taken, make a written request for a trial setting. Any party desiring a trial date must state whether or not a pre trial conference would be helpful toward a prompt disposition of the case. To request a pre trial conference the party must comply

with 3 below. The court after review of the record may waive a pre trial conference or order a pre trial conference.

2. Any party desiring to assign a case for trial where the provisions of Section 1 have not been completed, may request a pre trial status conference by stating: (1) The status of discovery and the estimated length of time necessary to complete all discovery. (2) A statement as to the status of any pending motions or exceptions. (3) A statement of contested factual issues. (4) A statement of legal issues. (5) A statement that a status conference may facilitate movement toward a trial date and would be beneficial to the ends of justice. (6) A statement that counsel has reviewed this Rule.

3. A request for a pre trial conference shall include a statement of the following: (1) Nature of the case. (2) That issue has been joined between all parties to the litigation. (3) That all exceptions, motions and other preliminary matters have been disposed of. (4) That all discovery has been substantially completed. (5) That the case is now ready for setting of a trial date. (6) A pre trial conference would be helpful toward a prompt disposition of the case.

4. In those cases in which a pre trial conference is requested and set, the Clerk will forward notice of the date and time of the pre trial conference to all counsel or parties if unrepresented. Within thirty (30) days of the receipt of notice of pre trial conference all counsel are to file responses to the pre trial order. The pre trial response shall contain the following:

- A. A brief but comprehensive statement of the plaintiff's contentions.
- B. A brief but comprehensive statement of the defendant's contentions.
- C. A brief but comprehensive statement of the claims of any other parties.
- D. Facts established by the pleadings or by stipulations or admissions.
- E. A statement setting forth the contested issues of fact.
- F. A statement setting forth the contested issues of law.
- G. A list and brief description of exhibits to be offered in evidence by the parties.
- H. A statement that the documentary exhibits have been stipulated as to authenticity or that they have not been so stipulated.
- I. A list of witnesses each party may call and short statement as to the nature (but not as to the content) of their testimony. Except for the witnesses listed and those called for impeachment purposes, no other witnesses may be called to testify, except for good cause shown.
- J. A statement as to the estimated length of time necessary to try the case.

5. In those cases in which a status conference is requested and set, the Clerk will forward notice of the date and time of the status conference to all counsels or parties if represented. Within thirty (30) days of the date of receipt of notice all counsels are to file responses to the status conference order, said order which shall require the following information:

- (1) The number of witnesses to be called by you and the length of time it will take:
 - (a) to put on your case; and,
 - (b) to try the entire case.
- (2) A brief summary of contested factual issues.

3. A statement setting forth the contested issues of fact.
4. A statement setting forth the contested issues of law.
5. A list and brief description of exhibits to be offered into evidence by the party.
6. A statement that the documentary exhibits have been stipulated as to authenticity or that they have not been so stipulated.
7. A list of witnesses the party may call and short statement as to the nature (but not as to the content) of their testimony, except for witnesses which will be called for impeachment or rebuttal purposes. No other witnesses may be called to testify except for good cause.
8. A list of depositions offered and filed in lieu of live testimony.
9. A statement as to the estimated length of time necessary to try the case.

Willful failure to comply with this Trial Order may result in any of the following:

(1) Cancellation of the trial date and/or, (2) Loss of right to introduce evidence and/or, (3) Loss of right to object to the introduction of evidence. Failure of the attorney or party who requested the fixing of the case for trial to comply with this Trial Order may result in the trial being removed from the trial docket of this Court.

PRE TRIAL STATUS CONFERENCE

When a pre trial status conference has been ordered all counsels of record shall file a statement complying with hereinabove.

APPEAL

All cases appealed to this Court shall be docketed and heard as a civil proceeding, and the appellee shall have three days from the date of filing of the transcript of appeal in which to file his answer or move to dismiss the same, provided that no appeal shall be dismissed for any defect or irregularity in the proceedings not imputable to the appellant. No motion to dismiss filed later than said three days can be considered.

Failure on part of counsel to comply with the provisions of Rule 9.14 may result in any of the following: (1) Cancellation of the pre trial conference or trial date and/or (2) Loss of right to introduce evidence and/or (3) Loss of right to object to the introduction of evidence and/or the right to object to the trial date or all the above.

SPECIFIC TERMS OF COURT

The terms of court shall be as follows:

1. Civil and criminal terms shall be set forth for the calendar year 2004 and each future year thereafter on a calendar to be adopted and filed with the Clerk of Court on/or before December 1 of each year.
2. Grand jury term shall be held in March and in September of each year other than special grand juries.
3. In addition to the above terms of court, trials may be held in Winn Parish as the business of the court so requires.

Chapter: 13

Chapter Title: Civil Litigation Filed by Inmates

Appendix 9A

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9a.PDF>

Rule No: 13.0

Petition for Judicial Review

Appendix 9B

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9b.PDF>

Rule No: 13.0

Pro Se Prisoner-Plaintiff's
Portion of the Pre-Trial Order

Appendix 9C

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9c.PDF>

Rule No: 13.3

Application to Proceed In
Forma Pauperis Filed in
District Court

Appendix 9D

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX9d.PDF>

Rule No: 13.3

Motion to Proceed In Forma
Pauperis on Appeals/Writs

Appendix 10

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX10.PDF>

Rule No: 13.2

In Forma Pauperis Application;
Civil Litigation Filed by
Inmate - Appeal

Chapter: 14

Chapter Title: Allotment of Cases

Appendix 11

SPECIFIC TERMS OF COURT

Rule No: 14.0

System of Random Allotment
of Criminal Cases (Other than
Traffic, Wildlife, and Appeals
from Lower Courts)

District Court

The terms of court shall be as follows:

A. Grand jury term shall be held in March and in September of each year other than special grand juries.

B. In addition to the above terms of court, trials may be held in Winn Parish as the business of

Chapter: 19

Chapter Title: Simultaneous Peremptory Challenges

Appendix 18

Simultaneous peremptory challenges are allowed.

Rule No: 19.0

Simultaneous Peremptory
Challenges
